

## **WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **FINANCE**

DATE: **FEBRUARY 10, 2011**

**Committee Members Present:**

Supervisors      Thomas  
                         Taylor  
                         Goodspeed  
                         Belden  
                         VanNess  
                         Kenny  
                         Merlino  
                         Conover

**Committee Member Absent:**

Supervisor      Monroe

**Others Present:**

Daniel G. Stec, Chairman of the Board  
Paul Dusek, County Attorney/Administrator  
Joan Sady, Clerk of the Board  
Supervisor Bentley  
Supervisor Champagne  
Supervisor Girard  
Supervisor Loeb  
Supervisor McCoy  
Supervisor Strainer  
Supervisor Wood  
Frank O'Keefe, Treasurer  
Rick Murphy, Fiscal Assistant to the  
Administrator  
Jeff Tennyson, Superintendent of Public Works  
Sheila Weaver, Commissioner, Department of  
Social Services  
Bud York, Sheriff  
Thom Randall, *Adirondack Journal*  
Jon Alexander, *The Post Star*  
Nicole Livingston, Deputy Clerk

---

Mr. Thomas called the meeting of the Finance Committee to order at 10:57 a.m.

Motion was made by Mr. Belden, seconded by Mr. Goodspeed and carried unanimously to approve the minutes of the December 9, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Action Agenda review, Mr. Thomas stated Item 1 were the requests for Transfer of Funds which were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve Item 1 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas advised Item 2 was a referral from the County Facilities Committee, Buildings & Grounds, requesting authorization of payment to TES Environmental for additional Industrial Hygiene Services necessary for the demolition of Annex #10

---

Building in the amount of \$9,376 to be paid from Capital Project No. H315.9550 280-Abatement & Demolition of Annex Building #10.

Paul Dusek, County Attorney/Administrator, explained additional asbestos was discovered unbeknownst to this contractor who was originally only responsible for air monitoring at the beginning of the project. He noted that when the additional asbestos was discovered, by law, the County was required to have additional air monitoring services performed for the demolition.

Motion was made by Mr. Taylor, seconded by Mr. VanNess and carried unanimously to approve Item 2 as outlined above. The necessary resolution was authorized for the next board meeting.

Mr. Thomas asserted Item 3 was a referral from the Criminal Justice Committee, District Attorney, requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$14,438 for the purpose of funding a temporary Investigator position.

Motion was made by Mr. Kenny, seconded by Mr. Goodspeed and carried unanimously to approve Item 3 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Dusek exited the meeting at 11:04 a.m.

Mr. Thomas added Item 4 was a referral from the Health Services Committee, Westmount Health Facility, requesting authorization for the settlement of Civil Money Penalties relating to the February 25, 2010 New York State Department of Health (NYS DOH) violation for an amount of \$2,000.

Motion was made by Mr. Vanness, seconded by Mr. Conover and carried unanimously to approve Item 4 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Item 5 was a referral from the Human Services Committee, Office for the Aging, requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$22,953 to reflect receipt of MIPPA/ADRC grant funds.

Motion was made by Mr. Conover, seconded by Mr. Taylor and carried unanimously to approve Item 5 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas apprised Items 6A through C were referrals from the Public Safety Committee. Items 6A and B, he said, were referred from the Sheriff & Communications. He stated Item 6A was a request to amend the 2011 County budget

---

to increase estimated revenues and appropriations in the amount of \$2,491 to reflect receipt of monies paid by 3C Race Productions for a half marathon in the Village of Lake George.

Motion was made by Mr. Belden, seconded by Mr. Conover and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas added Item 6B was a request for authorization for a bond in the amount of \$186,031 for the purchase of Sheriff's cars and equipment.

Motion was made by Mr. VanNess and seconded by Mr. Belden to approve the request as presented.

In response to an inquiry, Bud York Sheriff, explained that at the request of the Budget Officer during the budget process, the funding had not been included in the 2011 budget in order for purchases to be made by securing a bond. Mr. Taylor questioned the length of the bond and Sheriff York responded Mr. Dusek was preparing the bond information and suggested waiting for him to return to the meeting to answer any questions pertaining to the details of the bond.

Mr. Thomas advised he would proceed to the next item on the Agenda and the request for the bond would be addressed when Mr. Dusek returned to the meeting.

Mr. Thomas noted Item 6C was referred from the Office of Emergency Services (OES), requesting to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$131,972 to reflect receipt of Homeland Security grant funds.

Motion was made by Mr. Conover and seconded by Mr. Taylor to approve the request as presented.

Mr. Belden questioned if there were any stipulations or contingencies attached to the award of this grant. Brian LaFlure, Fire Coordinator/Director of OES, replied in the negative, noting that the funds could be utilized for the sustainment of equipment secured from previous grants.

Mr. Conover commended the OES for the diligence exemplified by the Department.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 6C as outlined above, and the necessary resolution was authorized for the next board meeting.

---

Mr. Thomas informed Items 7A through D were referrals from the Public Works Committee. Items 7A and B, he said, were referred from the DPW. He stated Item 7A was a request to authorize a \$5.5 million Bond Anticipation Note (BAN) for 2011 Federal and State Aid Transportation Projects.

Motion was made by Mr. Belden and seconded by Mr. Kenny to approve the request as presented.

Jeff Tennyson, DPW Superintendent, confirmed that the amount to be bonded included both the cash flow for construction and also the local share required from the County to match the State and Federal funds provided for projects. Mr. Belden asked Frank O'Keefe, Treasurer, what the term of the bond would be and Mr. O'Keefe advised he was not sure; he added that a bond might not be needed.

Mr. Thomas called the question and the motion was carried unanimously to approve Item 7A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas remarked Item 7B was a request for a transfer of funds in the amounts of \$2,382 and \$2,236, to correct a budget shortfall resulting from fees attributed to bonding of the Gaslight Village property purchase and the purchase of DPW equipment.

Motion was made by Mr. Belden and seconded by Mr. VanNess to approve the request as presented.

Mr. Tennyson explained that when the equipment purchase plan was approved, the bonding fees were unknown at that time and therefore not included in the amount to be bonded. He noted that the fees were now known and this request would resolve the matter. Regarding the Gaslight Village property purchase, he continued, again at the time the bond was secured, the bonding fees were not known.

Mr. O'Keefe informed that any time a bond was secured, legal fees were included; however, he said, in these instances the fees were not included. He opined that the necessary fees should not be the responsibility of the DPW. Relative to the Gaslight Village property purchase and the associated fees for the bond, Mr. Belden suggested that the Village of Lake George should be requested to pay a portion of said fees. Mr. Thomas countered that the Village had secured their own bond in relation to purchasing the property and this bond was solely the County's responsibility.

Mr. Dusek returned to the meeting at 11:15 a.m.

---

Mr. Dusek explained there was no money to account for the additional legal fees in the resolutions that authorized the bonds. He further stated that this action was necessary to rectify the accounting problems associated with the bonds and it was a relatively small amount of money that was being transferred. Mr. Dusek clarified that when he prepared the bonding information in 2008 and 2009, he had only bonded the purchase price on the Gaslight Village property and just the equipment purchases; he acknowledged that he should have recommended to bond the fees associated with the purchases at that time.

Following discussions, Mr. Thomas called the question and the motion was carried unanimously to approve Item 7B as outlined above and the necessary resolution was authorized for the next board meeting. *(Subsequent to the meeting, it was determined that the necessary action would be to increase Capital Project No. H283.9550 280-Public Works Equipment and Capital Project No. H284.9550 280-Gaslight Village Property for the amounts listed, said funds to be transferred from Code D5110 470-County Roads, Maintenance of Roads- Contracts.)*

Mr. Thomas directed the Committee members to Item 6B regarding the request for authorization for a bond in the amount of \$186,031 for the purchase of Sheriff's cars and equipment and requested Mr. Dusek address the item. Mr. Dusek reported the amount listed did not include the fees associated with the bond and he ascertained the cost for the three year term proposal for financing to be \$3,000 which needed to be added; thereby resulting in a bond for the amount of \$189,031. He noted this would also required the establishment of a Capital Project.

Mr. Belden expressed his concern with bonding so many items each year and suggested that the funds be included during the budget process to avoid such action. Mr. Dusek agreed and said items, such as these vehicles, should be planned as part of future budgets. He further stated the thought had been that in 2012 the County would realize some budget relief following the sale of the trash plant, and should move this expense ahead into that year and as part of the next budget cycle, continue to try to right the County in terms of all these expenditures by planning the purchases into the budget cycle on a year-to-year basis.

Mr. VanNess amended his motion to correct the amount of the bond requested to \$189,031 and to establish Capital Project No. H317.9550 280-Sheriff's Vehicles and Accessories for same amount with the source of funding to be a bond. Mr. Belden amended his second to the motion. Mr. Thomas called the question and the motion was carried unanimously to approve Item 6B as outlined above and the necessary resolutions were authorized for the next board meeting.

Returning to the Action Agenda review, Mr. Thomas said Items 7C and D were referred from the Parks, Recreation & Railroad and Item 7C was a request to amend the 2011

---

County budget to increase estimated revenues and appropriations in the amount of \$58,926 to reflect receipt of 70% of the State Snowmobile grant funds. He added Item 7D was a request to amend the 2011 County budget to increase estimated revenues and appropriations in the amount of \$341 to reflect a donation to support the Fish Hatchery. The Committee recommended a letter of appreciation be forwarded to the individuals that made the generous donation.

Motion was made by Mr. VanNess, seconded by Mr. Merlino and carried unanimously to approve Items 7C and D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas reported Item 8 was a referral from the Tourism Committee, requesting to appropriate fund balance designated for occupancy tax reserve to fund advertising concept for Jimmer/BYU TV promotion in the amount of \$35,000.

Motion was made by Mr. Kenny and seconded by Mr. Merlino to approve the request as presented.

In response to an inquiry, Mr. Thomas informed \$30,000 would secure air time and \$5,000 would be utilized for the production of the commercials. Discussion ensued relative to what the commercials would entail. Mr. Merlino advised the commercials would make the connection of Jimmer Fredette and the City of Glens Falls to the Lake George area in New York's Adirondacks.

Following discussion, Mr. Thomas called the question and the motion was carried unanimously to approve Item 8 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Thomas expounded Item 9 was a request to amend Resolution No. 213 of 2010 to correct termination terminology, as per the attached.

Motion was made by Mr. Goodspeed, seconded by Mr. Belden and carried unanimously to approve Item 9 as outlined above, and the necessary resolution was authorized for the next board meeting.

Concluding the Action Agenda review, Mr. Thomas informed Item 10 was a request for Finance Committee action which was required on the following item that was approved by the Personnel Committee: Item Nos. 1A, 1B, 1D, 1G, 1H and 3B.

Motion was made by Mr. Goodspeed, seconded by Mr. VanNess and carried unanimously to approve Item 10 as outlined above, and the necessary resolution was authorized for the next board meeting.

---

Mr. Thomas referred to Item IV. Topics to be reported on/discussions/updates and noted Item 1, was the response to the Budget Analysis Report from the County Treasurer as prepared by JoAnn McKinstry, Assistant to the County Administrator, which was attached for review.

Mr. Belden expressed his appreciation for the detailed report and noted he found the report to be very helpful.

Mr. Thomas noted there was an addendum to the Agenda. He apprised Item 1 was a referral from the County Facilities Committee, requesting a Contingent Fund transfer in the amount of \$25,000 to the Buildings & Grounds Budget to cover the costs associated with the renovations and relocation of departments in the Municipal Center Building. Mr. Belden clarified that \$25,000 was the amount not to exceed, and may not necessarily reach that amount.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to approve Addendum Item 1 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Dusek announced he had additional items to be addressed by the Committee. Regarding the Youth Bureau and the Warren County Youth Court, he said, it was recently discovered that the Director of the Youth Bureau was not provided the opportunity to submit an application for funding from the State which was necessary to keep the program operational. He reported that due to the lack of funding, a decision needed to be made as to whether or not the County wanted to provide an additional \$11,000 to continue the Youth Court program through April 30, 2011 or to close the Youth Court immediately in order to avoid further loss of funds. He expounded that in addition to this problem, he had been informed that the funding that had traditionally been made available for the Youth Bureau would no longer be available in 2011. Mr. Dusek asserted that there may be other funding sources that could be utilized, such as a primary prevention incentive program which was under the Criminal Justice realm; however, he said, those opportunities were unknown at this time. Discussion ensued. Following discussions, it was consensus of the Committee that possible alternate funding sources would be researched and that the matter would be further discussed and a decision made relative to the continuation of the Youth Court at the February 18, 2011 Board meeting.

Prior to adjourning, Mr. Dusek requested an executive session to review a litigation matter against the County and to discuss two Union negotiation matters. Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously that executive session be declared pursuant to Sections 105 (d) and (e) of the Public Officers Law.

Executive session was declared from 11:41 a.m. to 12:37 p.m.

---

Committee reconvened.

Pursuant to the executive session, motion was made by Mr. VanNess, seconded by Mr. Kenny and carried unanimously to authorize a Memorandum of Understanding (MOU) with the CSEA to clarify and/or amend the contract provisions to clearly state that CDL license fees with regard to DPW employees are paid in full. The necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Belden, Mr. Thomas adjourned the meeting at 12:40 p.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk